

80-31-A
176

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas J. Lamb, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 BO 2.3.C.1 (301.1) to permit a side yard setback of 7 inches instead of the required 16 3/4 feet for an open structure (carport) in a D.R. 16 zone

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) I bought this awning for the protection of my house, car, and family from the weather. It is in no way of harming the people next door. They complain about everything & everybody in the neighborhood. I paid over \$3000. for this awning & knowing how the people next door were. I wouldn't have put out that much money if I thought I needed a building permit to install this, & if I have to take this awning down, I will not be able to return it to the company, & this would be a great loss to me and my family.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE August 22, 1979
ORDER RECEIVED FOR FILING
DATE August 22, 1979
By John D. Seyffert
Administrative Assistant
Contract purchaser Thomas J. Lamb Legal Owner
Address Baltimore 7105 North Point Road
388-1967
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day

of July, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of August, 1979, at 10:15 o'clock A.M.

(over)

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1979, Legislative Day No. 6

RESOLUTION NO. 22-79

Mr. John W. O'Rourke, Councilman

By the County Council, March 19, 1979

WHEREAS, Thomas J. Lamb, a firefighter in the Baltimore County Fire Department, is the owner of real property located at 7105 North Point Road, in the Fifteenth Election District of Baltimore County; and

WHEREAS, Thomas J. Lamb has applied for a zoning variance on said property for an open structure awning; and

WHEREAS, pursuant to Section 1061 (a) and (b) of the Baltimore County Charter, Thomas J. Lamb has by this resolution, made a full public disclosure of all pertinent facts to the respective members of the County Council of Baltimore County.

BE IT RESOLVED by the County Council of Baltimore County, Maryland, that, based solely on the foregoing facts, the interests of Thomas J. Lamb does not violate the public interest.

RE: PETITION FOR VARIANCES
SW/S of North Point Rd, 131.5'
SE of Wells Rd., 15th District
THOMAS J. LAMB, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 80-31-A

ORDER TO ENTER APPEARANCE

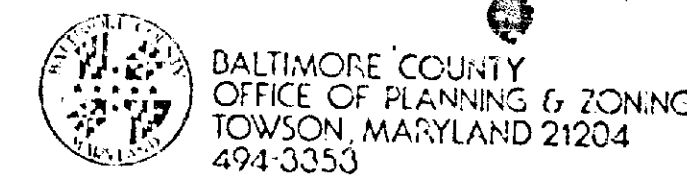
Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of July, 1979, a copy of the foregoing Order was mailed to Mr. Thomas J. Lamb, 7105 North Point Road, Baltimore, Maryland 21219, Petitioner.

John W. Hession, III
John W. Hession, III



WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 22, 1979

Mr. Thomas J. Lamb
7105 North Point Road
Baltimore, Maryland 21219

RE: Petition for Variance
SW/S of North Point Road, 131.5'
SE of Wells Road - 15th Election District
Thomas J. Lamb - Petitioner
NO. 80-31-A (Item No. 176)

Dear Mr. Lamb:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

Mr. Rufus W. Saxe
7107 North Point Road
Baltimore, Maryland 21219

Beginning on the southwest side of North Point Road approximately 131.5' southeast of Wells Avenue and known as Lot No. 11 as shown on Plat of Fattle Park, which is recorded in land records of Baltimore County in Liber 7, folio 58. Also known as #7105 North Point (rear).

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
John D. Seyffert
FROM: Director of Planning
SUBJECT: Petition #80-31-A, Item 176

Petition for Variance for side yard setback
Southwest side of North Point Road 131.5 feet Southeast of Wells Road
Petitioner - Thomas J. Lamb

15th District

HEARING: Tuesday, August 7, 1979 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert
Office of Planning and Zoning

JDS:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Thomas J. Lamb
7105 North Point Road
Baltimore, Maryland 21219

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 3rd day of July, 1979

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Thomas J. Lamb
Petitioner's Attorney _____

Reviewed by Nicholas S. Commodore
Nicholas S. Commodore
Chairman, Zoning Plans
Advisory Committee

NOV 6 1979

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of August, 1979, that the herein Petition for Variance to permit a side yard setback of 7 inches for an open carport in lieu of the required 18.75 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Locating and directing all rain downspouts away from adjoining property.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 27, 1979

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ofo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Thomas J. Lamb
7105 North Point Road
Baltimore, Maryland 21219

RE: Item No. 176
Petitioner - Thomas J. Lamb
Variance Petition

Dear Mr. Lamb:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to legalize the setback of the existing awning, which is located within 7" of the side property line, this Variance Petition is required.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mr

Enclosures

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

March 21, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #176 (1978-1979)
Property Owner: Thomas J. Lamb
S/W/S North Point Rd. 131.5' S/E Wells Rd.
Existing Zoning: DR 16
Proposed Zoning: Variance to permit a side setback of 7" for an open carport in lieu of the required 18.75'.
Acres: 0.2555 District: 15th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property contains two dwellings; the existing dwelling with carport fronts on the indicated 15-foot alley.

Highways:

North Point Road (Md. 20) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #176 (1978-1979)
Property Owner: Thomas J. Lamb
Page 2
March 21, 1979

Water and Sanitary Sewer:

There is a public 16-inch water main in North Point Road. There is 10-inch and 8-inch public sanitary sewerage in North Point Road and in the alley, respectively. Fire hydrants are located at Ross Avenue and also at Sparrows Point Road.

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
W. Munchel

A-NE Key Sheet
21 SE 32 Pos. Sheet
SE 6 H Topo
111 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESUE H. GRAEF
DIRECTOR

April 11, 1979

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 176, Zoning Advisory Committee Meeting, March 6, 1979, are as follows:

Property Owner: Thomas J. Lamb
Location: SW/S North Point Road 131.5' SE Wells Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 7 inches for an open carport in lieu of the required 18.75'.
Acres: 0.2555
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

April 4, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Zoning Comments

Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on

Items: 170, 173, 174, 175 and 176 of the Zoning Advisory Committee Meeting of March 6, 1979.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

MSF/hmd

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

March 30, 1979

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #176, Zoning Advisory Committee Meeting of March 6, 1979, are as follows:

Property Owner: Thomas J. Lamb
Location: SW/S North Point Road 131.5' SE Wells Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 7 inches for an open carport in lieu of the required 18.75'.
Acres: 0.2555
District: 15th

Metropolitan water and sewer exist.

Very truly yours,

[Signature]
Ian J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP/sms

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

February 27, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Thomas J. Lamb

Location: SW/S North Point Rd. 131.5' SE Wells Rd.

Item No. 176 Zoning Agenda Meeting of 3/6/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1975 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *[Signature]* 3/27/79
Planning Group
Special Inspection Division

Noted and
Approved: *[Signature]*
Fire Prevention Bureau

NOV 06 1979

